

JUDGE ABRAMS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

UNITED STATES OF AMERICA

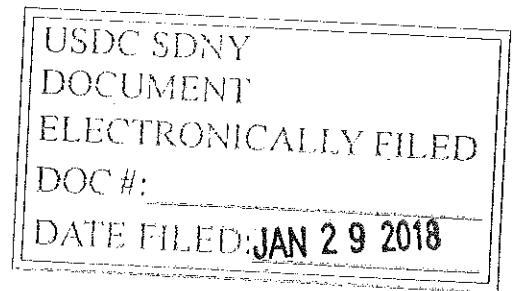
- v. -

ELDAR RAKHAMIMOV,
NASIM RAKHAMIMOV,
RUSLAN KADIROV,
STEPHEN BAPTISTE, and
JOSEPH FINNERAN,

Defendants.

INDICTMENT

18 Cr
18 CRIM 072



COUNT ONE

The Grand Jury charges:

1. From at least in or about 2015, up to and including in or about December 4, 2017, in the Southern District of New York and elsewhere, ELDAR RAKHAMIMOV, NASIM RAKHAMIMOV, RUSLAN KADIROV, STEPHEN BAPTISTE and JOSEPH FINNERAN, the defendants, and others known and unknown, knowingly and willfully did combine, conspire, confederate and agree together and with each other to commit an offense against the United States, to wit, to violate Title 18, United States Code, Section 1341 and 1343.

2. It was also a part and an object of the conspiracy that ELDAR RAKHAMIMOV, NASIM RAKHAMIMOV, RUSLAN

KADIROV, STEPHEN BAPTISTE and JOSEPH FINNERAN, the defendants, and others known and unknown, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, and attempting to do so, for the purpose of executing such scheme and artifice, and attempting to do so, would and did place in any post office and authorized depository for mail matter, matters and things to be sent and delivered by the Postal Service, and would and did deposit and cause to be deposited matters and things to be sent and delivered by private and commercial interstate carriers, and would and did take and receive therefrom such matters and things, and would and did knowingly cause to be delivered by mail and such carriers according to the direction thereon, and at the place at which it was directed to be delivered by the person to whom it was addressed, such matters and things, in violation of Title 18, United States Code, Section 1341, to wit, the defendants fraudulently inflated records of the volume of recyclable containers delivered to particular recycling facilities, thereby causing victim-bottling companies to overpay reimbursements and service fees to the defendants and others, some of which reimbursements and service fees were mailed to the defendants.

3. It was also a part and an object of the conspiracy that ELDAR RAKHAMIMOV, NASIM RAKHAMIMOV, RUSLAN KADIROV, STEPHEN BAPTISTE and JOSEPH FINNERAN, the defendants, and others known and unknown, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, and attempting to do so, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343, to wit, the defendants fraudulently inflated records of the volume of recyclable containers delivered to particular recycling facilities, thereby causing victim-bottling companies to overpay reimbursements and service fees to the defendants and others, and, in doing so, arranged for the delivery of recyclable containers through, among other means, interstate telephone calls between New York and New Jersey.

(Title 18, United States Code, Section 1349.).

FORFEITURE ALLEGATION

4. As a result of committing the offense alleged in Count One of this Indictment, ELDAR RAKHAMIMOV, NASIM RAKHAMIMOV, RUSLAN KADIROV, STEPHEN BAPTISTE and JOSEPH FINNERAN, the

defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, any and all property, real or personal, that constitutes or is derived from proceeds traceable to the commission of the offense charged in Count One of this Indictment.

Substitute Assets Provision

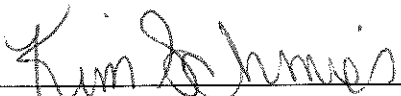
5. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

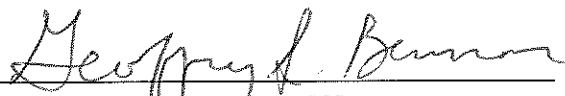
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any

other property of the defendants up to the value of the above
forfeitable property:

(Title 18, United States Code, Sections 981(a)(1)(C), Title 21,
United States Code, Section 853, and Title 28, United States
Code, Section 2461.)



FOREPERSON



GEOFFREY S. BERMAN
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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INDICTMENT

18 Cr.

(18 U.S.C. § 1349.)

GEOFFREY S. BERMAN
United States Attorney.

A TRUE BILL

Kim Schmeis
Foreperson.

1/29/18

Filed Indictment

USMJ FOX

MQ

Case Assigned to Judge Abrams